

TOWN AND COUNTRY PLANNING ACT 1990

Town and Country Planning (General Permitted Development) (England) Order
2015

Town and Country Planning (Development Management Procedure) (England) Order
2015

Town and Country Planning (Control of Advertisements) (England) Regulations
2007

Town and Country Planning (Tree Preservation) England Regulations 2012

Planning (Listed Buildings and Conservation Areas Act 1990

Planning (Hazardous Substances) Act 1990

Planning and Compensation Act 1991

Approval Notice

Application to undertake work on a Tree Preservation Order Tree

Approval has been granted by Ashfield District Council for the development referred to below providing it is carried out in accordance with the application and plans submitted. The approval is subject to the conditions set out on the attached sheet.

Application Details

Planning Reference Number: **V/2025/0539**

Location of Development: **10 De Morgan Close, Underwood, Nottinghamshire,
NG16 5EU**

Description of Development: **Application for Tree works to an Oak Tree TPO Ref
No 036 - Crown Reduction, Crown Clean, Crown Lift
to Balance The Canopy**

Applicant Name: **Mrs Jill Dring**

Date: **20/11/2025**

CONDITIONS:

1. This permission shall authorise the carrying out of the approved tree works within 2 years of the date of this permission.
2. This permission shall authorise the following work to the Oak tree only:
 1. Crown Reduction
 - Reduce the overall height by 4-6 feet.
 - Reduce lateral spread on the south, east and west sides by up to 4 feet to alleviate overhang into the bungalow garden and neighbouring properties.
 - All pruning cuts to be made back to appropriate secondary growth points, retaining natural form and balanced shape.
 2. Crown Lift
 - Crown lift to provide 2.5-3m clearance above ground level for access.
 - Only secondary branches to be removed; no primary limbs.
 3. Crown Clean
 - Remove dead, dying, damaged, diseased and rubbing branches throughout the crown.
3. The agreed works shall be carried out in accordance with the appropriate recommendation of BS3998; 2010 (Tree Work) and in general shall in no way prejudice the health, balance and natural appearance of the tree(s).
4. Within one month following completion of the agreed work, all branchwood shall be removed and the site left in a reasonably clean and tidy condition.

REASONS:

1. To define the time scale of the permission and to allow further assessment in the event of the works not being carried out.
2. To safeguard the visual amenity of the area.

3. To safeguard the visual amenity of the area.

4. To safeguard the visual amenity of the area.

INFORMATIVE

The applicant/developer is strongly advised to ensure compliance with all planning conditions, if any, attached to the decision. Failure to do so could result in LEGAL action being taken by the Ashfield District Council at an appropriate time, to ensure full compliance. If you require any guidance or clarification with regard to the terms of any planning conditions then do not hesitate to contact the Development & Building Control Section of the Authority on Mansfield (01623 450000).

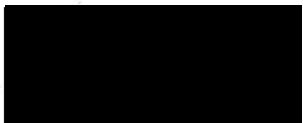
For further detail on the decision please see the Council's website <https://planning.ashfield.gov.uk/planning-applications> and search for the planning reference number.

REASONS FOR APPROVAL

The decision to grant permission has been taken having regard to the policies and proposals in the Ashfield Local plan Review (2002) and all relevant material considerations, including Supplementary Planning Guidance.

PROACTIVE WORKING

The processing of this application has been undertaken in accordance with the requirements of the National Planning Policy Framework 2024.



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PP. Theresa Hodgkinson
Chief Executive

IMPORTANT NOTES

It is your responsibility to make sure that where necessary approval under Building Regulations has been obtained before you start work. The approved plans for both Building Regulations and Planning Permission must be for the same development. You must make sure that any changes made to meet Building Regulations are sent to the Planning Department as well. In some cases you may need further planning approval. Please contact buildingcontrol@Erewash.gov.uk for more information regarding Building Regulations.

Where residential layouts are involved, a favourable planning decision does not necessarily imply that the infrastructure will be suitable for an adoption agreement under the Highways Act 1980.

Details of how to appeal against the conditions on this decision are given on the attached sheet.

Appeals to the Planning Inspectorate

You can appeal against this decision within the time given below. Appeals should be made to the *Planning Inspectorate in all cases. In respect of applications for:

- Planning Permission
- Details pursuant to an outline planning permission
- Removal or variation of a condition
- Discharge of condition
- Listed building consent
- Conservation area consent and
- Applications for the determination of prior approval of details.

You have 6 months from the date of the decision to appeal. However, In respect of householder applications you have 12 weeks from the date of decision to lodge an appeal.

*Planning Inspectorate
Temple Quay House
2 The Square
Temple Quay
Telephone: 0117 372 6372
Bristol
BS1 6PN

Email: enquiries.pins@gtnet.gov.uk

Website: <https://www.gov.uk/government/organisations/planning-inspectorate>

Notes for applicants who intend to carry out works that affect new or existing Highway and Public Open space:

It is strongly recommended that the applicant contact the Council at an early stage to clarify the codes etc. with which compliance will be required in the particular circumstance, and it is essential that design calculations and detailed construction drawings for the proposed works are submitted to and approved by the County Council (or District Council) in writing before any work commences on site.

Correspondence with the Council should be addressed to:-

***Nottinghamshire County Council
Highways Management (North)
Fountain Court
Bevercotes House
Sherwood Energy Village
Ollerton
Nottinghamshire
NG22 9FF***

***Telephone contact - 01623-520711
Email contact hdc.north@nottscc.gov.uk***

Section 38 Agreement (Highways Act 1980)

The applicant should note that notwithstanding any planning permission that if any highway forming part of the development is to be adopted by the Council, the new roads and any highway drainage will be required to comply with the Nottinghamshire County Council's current highway design guidance and specification for road works.

www.leics.gov.uk/htd

Advanced Payments Code (Highways Act 1980)

The Advanced Payments Code in the Highways Act 1980 applies and under section 219 of the Act payment will be required from the owner of the land fronting a private street on which a new building is to be erected. The code applies both to roads/streets that are to remain private and those that are to be adopted. The developer should contact the Council with regard to compliance with the Code, or alternatively to the issue of a Section 38 Agreement and bond under the Highways Act 1980. A Section 38 Agreement can take some time to

complete. Therefore, it is recommended that the applicant contact the Council as early as possible to discuss this.

Diversions, 'stopping up' of public rights of way or highway (Section 247 & 257 of the Town & Country Planning Act 1990)

The proposed development may affect a public right of way. Following a grant of planning permission, the local planning authority may make an order to stop up or divert a footpath or bridleway if they are satisfied that it is necessary to enable development to be carried out in accordance with Planning Permission.

The granting of planning permission does not mean that public rights of way will automatically be diverted or stopped up. A separate application must be made to stop up or divert a footpath or bridleway following the granting of planning permission. The applicant will need to contact **Legal Services 01623-457323** to ascertain the legal steps required to be undertaken.

Any preliminary obstruction of or interference with the public rights of way concerned is not only an offence but may make it impossible for the local planning authority to proceed with the making of the Order.

Green Space & Sustainable Urban Drainage Systems (SUDS) schemes

It is important that the applicant contact the Council at an early stage when looking to introduce any Green Space areas and features or SUDS proposals into any future development sites, to agree long term maintenance issues and help eliminate future land ownership problems and concerns including boundaries, perimeters and public access points.

Correspondence with the Council for Green Space and SUDS enquiries should be addressed to:-

For public open/green space land transfer-

Estates Manager
Telephone contact 01623-457277

And for future maintenance-

Service Lead – Waste & Environment
Telephone contact 01623-457873

Notes for applicants who intend to carry out work which will include the demolition of a building of more than 50 cubic metres:

You will be required to serve a notice on the Authority under Section 80 of the Building Act 1984. The notice should be accompanied by a location plan. Upon receipt of the notice we will consult with the necessary bodies and, where appropriate, a consent to demolish will be issued (under Section 81 of the Act) together with conditions, which must be complied with when demolition is carried out. Please contact buildingcontrol@Erewash.gov.uk for more information regarding Building Regulations.

Notes for applicants who intend to carry out work to which the Building Regulations apply:

Now that your Planning permission has been granted, you will also need to consider applying for Building Regulation approval. The process should be straight-forward and is in simple terms a technical exercise to ensure that your project will comply with current national building standards. These are minimum standards that aim to ensure your health and safety (and other members of your household) is not compromised. Please contact buildingcontrol@Erewash.gov.uk for more information regarding Building Regulations.